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REMARKS

Claims 2 to 12 remain in this application.

The allowability of dependent claims 4 to 12 is acknowledged.

Reconsideration of the objection to the drawings is requested. The second washer set forth in claim 6 is illustrated, for example in Fig. 21. This washer has a plurality of cutouts for receiving the splines of the hub in an interference fit.

Reconsideration of the rejection of claims 2 and 3 as being unpatentable over Wemmert is requested.

Wemmert describes an introducer needle assembly 30 that includes a needle shield 40 and a tether 44 (see Fig. 2). The needle assembly 30 also includes a needle 31 that is connected to a needle hub 34. As the needle hub 34 is moved proximally with respect to catheter hub 34, the needle shield 40 remains adjacent to the catheter hub 24. (See column 5, lines 63 to 66). The tether 44 has a length that maintains the sharp distal tip of the needle 31 in the main body portion 41 of the needle shield when the tether 44 is fully extended. (Column 5, line 66 to column 6, line 1). The tether 44 can be made of any relatively stiff yet flexible material with polyethylene terephthalate as the preferred material. One benefit of using this material is that it is relatively stiff so that when it is folded into a pleated or an accordion-like configuration, it provides a slight biasing force to help maintain tether 44 in the completely extended position. (See column 6, lines 38 to 44).

Claim 2 is directed to a combination that includes "a hub; a needle secured to and extending from said hub; a needle housing removably mounted on said hub. . . and a polyester film strip secured to and between said hub and said housing". Further, claim 2 requires that "in response to a withdrawal movement of said needle relative to said housing, said needle moves into said housing. . . while said strip is stretched between said hub and said housing to retain said housing connected to said under a biasing force." Wemmert does not describe or teach such a structure. Specifically, the tether 44 of Wemmert not stretched but instead is a relatively stiff material that provides a slight biasing force to maintain the tether 44 in a completely extended position.

Note that when the needle 31 of Wemmert is withdrawn relative to the shield 40, the needle 31 moves into the shield 40 as illustrated in Fig. 8 but the tether 44 is not

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stretched between the hub 34 and the shield 40. Instead, the tether 44 is biased in an extended position.

In view of the above a rejection of claim 2 as being unpatentable over Wemmert is not warranted pursuant to the provisions of 35 USC 103.

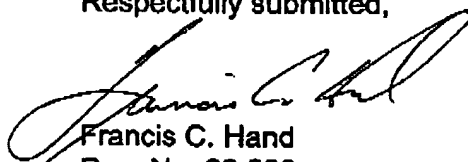
Further, the tether 44 of Wemmert is made of PET and not polyester. The Examiner alleges that it would be obvious to use polyester as the material for the strip. However, since Wemmert requires the tether to be made of a relatively stiff yet flexible material, it would not be obvious to one of ordinary skill in the art to substitute a polyester for the PET. For this additional reason, a rejection of claim 2 as being unpatentable over Wemmert is not warranted pursuant to the provisions of 35 USC 103.

Claim 3 depends from claim 2 and further requires "a washer mounted in said housing and having flaps. . . .". The Examiner alleges that the transverse barrier 49 of Wemmert is a washer. Issue is taken in this respect. As can be seen in Fig. 5, the transverse barrier 49 is in the form of a tube. The "washer" by definition as described in Webster's New Collegiate Dictionary is a

washer: 2: a flat thin ring or a perforated plate used in joints or assemblies ensure tightness, prevent leakage, or relieve friction.

The application is believed to be in condition for allowance and such is respectfully requested.

Respectfully submitted,



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